



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 4, 2002

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Daniel J. Bryant  
Assistant Attorney General

*Carl P. Thorsen / DAAG  
for DJB*

SUBJECT: Weekly Report for February 4 - February 15, 2002

THE WEEK AHEAD

- **The Cyber Security Act of 2001 (H.R. 3482):** On February 12, Deputy Assistant Attorney General John Malcolm will testify before the House Judiciary Subcommittee on Crime on Title I of this bill, which provides direction to the Sentencing Commission, criminalizes Internet advertising of illegal devices, specifies penalties for computer infrastructure crimes and authorizes the National Infrastructure Protection Center. The Department is developing a views letter supporting Title I with certain changes but strongly objecting to Title II, which would move the Office of Science and Technology from the National Institutes for Justice to its own office within the Office of Justice Programs. (Daley, Bernhardt)
- **Intellectual Property Rights:** On February 12, the Senate Foreign Relations Committee will hold a hearing on international and domestic piracy focusing on the criminal distribution of copyrighted software and entertainment products and the impact on our economy. The Department will be represented by United States Attorney John Gordon from the Central District of California. (Daley)
- **Visa Waiver Program:** On February 13, the House Immigration Subcommittee will hold a hearing on the visa waiver program and terrorism. Mike Cronin from INS will likely testify. (D. Burton)

THIS WEEK

- **World-Wide Threat Hearing:** The CIA, State, DoD, and FBI are expected to participate in a February 6 hearing before the Senate Intelligence Committee on world-wide threats facing the United States; FBI Executive Assistant Director Dale Watson is scheduled to testify. A follow-up closed briefing is scheduled to take place later that afternoon. (Walter)
- **Prosecutorial Deliberations:** The House Government Reform Committee has invited me to testify at its rescheduled hearing on February 6, regarding the history of congressional access to deliberative Justice Department documents, which arises from the

Committee's probe into the FBI's handling of informants in Boston. We have asked that Assistant Attorney General Michael Chertoff appear with me and reiterated our request that Committee staff meet with us to reach an accommodation on the issues arising from the President's assertion of executive privilege regarding these documents, but so far they have declined to do that. The Committee has also noticed three additional February hearings relating to the FBI Boston matter. (F. Burton)

- **Strategic Management Council Meeting:** On February 6, OLA and ODAG will meet with Senator Grassley in order to solicit recommendations from the Senator regarding reforms within the FBI. (Coughlin)
- **EOIR Oversight:** The House Immigration Subcommittee will hold an oversight hearing on February 6, reviewing the practices and function of the Executive Office for Immigration Review. Kevin Rooney, Director of EOIR will testify. (D. Burton)
- **Nominations:** The Senate Governmental Affairs Committee will hold a confirmation hearing on the nomination of Jeanette J. Clark, to be an associate judge of the Superior Court of the District of Columbia, on February 6. The second hearing on the nomination of Charles Pickering, Sr., to be a United States Circuit Judge for the Fifth Circuit, has been tentatively scheduled for February 7. (Scott-Finan)

FOIA EXEMPTION (b)5

• **PENTTBOMB:**

[REDACTED]

On February 6, FBI representatives are scheduled to join CIA and DoD in resuming weekly closed Member case updates for the House Intelligence Committee. A hearing on proposed legislation to create a commission to investigate the causes of the September 11 attacks is scheduled in the Senate Government Affairs Committee on February 7; the House and Senate Intelligence Committees are proceeding with their own plan to convene a joint investigation into the same matter although details have not yet been worked out. (Walter)

**LAST WEEK**

- **USA-PATRIOT Act/Intelligence Authorization Act for FY 2002 Follow-up:** The Department provided Congress on February 1, pursuant to requirements established in the Intelligence Authorization Act of 2002, two reports -- one on damage assessments in the context of pending espionage cases and the other on steps taken to implement the recommendations in the "Final Report of the Attorney General's Review Team on the Handling of the Los Alamos National Laboratory Investigation" (known as the Bellows Report). Another report required by the PATRIOT Act on the status of a Foreign Terrorist Asset Tracking Center, also due on February 1 for which Treasury had the lead in coordination with Justice and CIA, was not delivered but a status report for Senate and House Intelligence staff was provided on February 4. Deputy Assistant Attorney General Bruce Swartz from the Criminal Division attended on behalf of the Department. (Walter)